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Christian J. Younger, Bar No.: 222983

James D Pitner, Bar No.:258339

FRIEND YOUNGER, PC1100 14th Street, Ste. A

Modesto, CA 95354

(209) 238-0946 Telephone

(209) 238-0952 Fax

Attorney for Debtors

UNITED STATES BANKRUPTCY COURT**EASTERN DISTRICT OF CALIFORNIA –MODESTO DIVISION**

In re:

GEORGE ROBERT MUNOZ &

DIANE PARRA,

Debtors.

Case No: 12-90583

DC No: CJY-5

Chapter 13

Date: January 28, 2014

Time: 10:00 a.m.

Place: 1200 I Street, Suite 4, Modesto, CA

**DEBTORS' MOTION TO CONFIRM SECOND MODIFIED CHAPTER 13
PLAN**

George Robert Munoz & Diane Parra ("Debtors") hereby move to modify their Plan on the following grounds:

1. The First Modified Plan, filed on or about March 11, 2013, provides that Plan payments shall be \$544.00 per month and that Class 7 General Unsecured Creditors with timely filed claims will receive a 29.49% dividend through the plan.
2. Since filing the First Modified Plan there have been some changes to the debtors' budget. Co-debtor was informed that the medical insurance deducted from her retirement would stop, and the debtors would have to purchase their own private insurance to cover them. Therefore, the net income has gone up because the medical insurance is no longer being deducted from the Co-Debtors retirement. Now that the debtors have purchased their own private insurance they have medical insurance premiums to pay each month. With this new insurance the debtors have more out of

1 pocket expenses because the deductibles, co-pays and medicines are higher as the
2 Debtor suffers from diabetes along with other medical issues. Debtors have amended
3 their schedules I & J to reflect the changes in their income and expenses. True and
4 correct copies of their amended schedules I & J are filed concurrently herewith in the
5 List of Exhibits as Exhibit "B" and "C".

6 3. Debtors have also been offered a Permanent Loan Modification that would reduce
7 their monthly mortgage payments to \$299.32, which includes property taxes and
8 insurance. This loan modification would not only cure Debtors' arrears but also lower
9 their total loan balance to \$66,146.15 and drop their interest rate from 6.00% to
10 2.00%. Debtors have already filed a motion to approve the Permanent Loan
11 Modification with court.

12 4. In consideration of the foregoing, Debtors propose the following changes to their Plan:
13 Debtors shall pay the Trustee at total of \$14,496.00 through month 20, then beginning
14 in month 21, Debtors shall pay the Trustee \$503.00 per month for the remaining
15 months. A true and correct copy of the Plan is filed concurrently herewith in the List
16 of Exhibits as Exhibit "A".

17 5. Changing the plan will not affect the Plan's feasibility and will now change the plan to
18 pay 22.51% to all timely filed unsecured claims.

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21 Dated: 12/16/13

By: FRIEND YOUNGER, PC

22 /s/ James D. Pitner

23 James D. Pitner

24 Attorney for Debtor(s)